

ORDINANCE No. 118392

COUNCIL BILL No. 111451

AN ORDINANCE creating a new Office for Civil Rights by consolidating the Human Rights Department and the Office for Women's Rights; amending numerous Municipal Code Sections in Title 4 and chapters 3.14, 3.22, 3.110, 6.212, 14.04, 14.08, ~~20.46~~, 20.46 and 20.46A

of the Seattle Municipal Code; recodifying or repealing various sections in those chapters; and making grammatical and typographical corrections to amended sections.

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INDEXED

Law Department

over

The City of Seattle--Legis

REPORT OF COMMITTEE

Honorable President:

Your Committee on

to which was referred the within Council Bill No. 111451
report that we have considered the same and respectfully recommend that

Full Council Vote 7-1

Introduced: <u>9-30-96</u>	By: <u>Choe</u>
Referred: <u>9-30-96</u>	To: <u>Budget</u>
Referred:	To:
Referred:	To:
Reported: <u>NOV 10 1996</u>	Second Reading: <u>NOV 10 1996</u>
Third Reading: <u>NOV 13 1996</u>	Signed: <u>NOV 10 1996</u>
Presented to Mayor: <u>NOV 13 1996</u>	Approved: <u>NOV 26 1996</u>
Returned to City Clerk: <u>NOV 26 1996</u>	Published: <u>Full 31 pgs.</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Committee Chair

Law Department

Oversight

#10

The City of Seattle--Legislative Department

INDEXED

REPORT OF COMMITTEE

Date Reported
and Adopted

Honorable President:

Your Committee on

to which was referred the within Council Bill No.

report that we have considered the same and respectfully recommend that it be same:

Full Council Vote 7-1 No/and

Committee Chair

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ORDINANCE 118392

AN ORDINANCE creating a new Office for Civil Rights by consolidating the Human Rights Department and the Office for Women's Rights; amending numerous Municipal Code Sections in Title 4 and chapters 3.14, 3.22, 3.110, 6.212, 14.04, 14.08, 20.46 and 20.46A of the Seattle Municipal Code; recodifying or repealing various sections in those chapters; and making grammatical and typographical corrections to amended sections.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

ABOLITION AND TRANSFER OF FUNCTIONS

Section 1. Abolition of Department of Human Rights and Transfer of Powers, Duties and Resources.

Effective January 1, 1997, the Department of Human Rights is abolished. From and after that same date, except as provided elsewhere in this or another ordinance, all the functions, responsibilities, agreements, obligations, authorizations, powers, equipment, records, appropriations, positions, personnel, assets and liabilities of the Department of Human Rights shall belong to the Office for Civil Rights and the Director of the Office for Civil Rights is hereby authorized to perform all responsibilities, duties and obligations and exercise all powers heretofore belonging to the Director of the Department of Human Rights.

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2 Section 2. Abolition of Office for Women's Rights and Transfer of Powers, Duties and
3 Resources.

4 Effective January 1, 1997, the Office for Women's Rights is abolished. From and after that same
5 date, except as provided elsewhere in this or another ordinance, all the functions, responsibilities,
6 agreements, obligations, authorizations, powers, equipment, records, appropriations, positions,
7 personnel, assets and liabilities of the Office for Women's Rights shall belong to the Office for Civil
8 Rights and the Director of the Office for Civil Rights is hereby authorized to perform all responsibilities,
9 duties and obligations and exercise all powers heretofore belonging to the Office for Women's Rights.

10 Section 3. Continuation of Authority. From and after January 1, 1997 all rules, regulations,
11 notices and proceedings in effect on the effective date of this ordinance with respect to activities carried
12 on by either the Department of Human Rights or the Office for Women's Rights shall continue in effect
13 unless and until they expire of their own terms or are superseded, but the powers and responsibilities of
14 the Director of the Department of Human Rights and of the Director of the Office for Women's Rights
15 thereunder shall be performed by the Director of the Office for Civil Rights or, with respect to advocacy,
16 program, legislation and policy development in the areas of domestic violence and sexual assault, by the
17 Director of the Department of Housing and Human Services.

18
19 Section 4. Transfer of domestic violence functions. Effective January 1, 1997, the functions of
20 advocacy, program, legislation and policy development in the areas of domestic violence and sexual
21 assault are transferred to the Department of Housing and Human Services.

22
23 Section 5. The 1997 City Budget shall determine the organization of positions in the Office for
24 Civil Rights and the reassignment of positions among offices and departments.
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AMENDMENTS TO CODE SECTIONS

Section 6. Section 3.14.900 of the Seattle Municipal Code is amended as follows:

Subchapter VII Office for ((Women's)) Civil Rights

3.14.900 Office established-Purpose.

There ~~((shall be))~~ is established in the Executive Department an Office for ~~((Women's))~~ Civil Rights to ~~((study and act to identify and relieve the problems of women's civil rights))~~ provide city-wide leadership and guidance in the areas of civil rights and equal opportunity. It shall promote equal access to services within the City of Seattle and work to eliminate discrimination in housing, employment and public accommodations for Seattle residents; ((to))recommend policies to all departments and divisions of City government in matters affecting ((women's)) civil rights and equal opportunity to all people; ((to))recommend legislation for the implementation of such programs and policies; promote awareness within City government and the City of Seattle through public education and outreach; and ((to))provide staff support for the Seattle Women's Commission, the Seattle Human Rights Commission, and ((to))the Seattle Commission for ((Lesbians and Gays)) Sexual Minorities. ~~((The Office for ((Women's)) Civil Rights shall address issues of concern to sexual minorities. "Sexual minority" means a person having an actual or perceived sexual orientation of bisexuality, homosexuality, transsexuality, transgenderism, or transvestitism.))~~

Section 7. Section 3.14.910 of the Seattle Municipal Code is amended as follows:

3.14.910 Director-Appointment.

There shall be a Director of the Office for ~~((Women's))~~ Civil Rights who shall be appointed by the Mayor~~((, who may, but is not required to, make such appointment from among those persons,~~

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3 | s than four (4) in number, recommended for appointment by the Seattle ~~((Women's)) Civil Rights~~
4 | ~~mission~~ ~~((and the Seattle Commission for Lesbians and Gays.))~~). Such a appointment shall be
5 | subject to confirmation by a majority vote of all members of the City Council. The Director of the Office
6 | for ~~((Women's)) Civil Rights~~ shall not be included in the classified civil service. The Director of the
7 | Office for ~~((Women's)) Civil Rights~~ shall be the head of and, under the direction of the Mayor, shall be
8 | responsible for the administration of the office and in connection with such administration shall have
9 | duties and responsibilities including but not limited to the following:

- 10 | A. Undertake ~~((all))~~ enforcement, policy and educational activities consistent with the
11 | ~~((purpose))~~ mission of the Office for ~~((Women's)) Civil Rights~~;
12 | B. ~~((For the governance))~~ Administer and govern ~~((and control of))~~ the Office for Civil
13 | ~~((Women's)) Rights~~;
14 | C. Appoint, remove, and supervise~~((, and control))~~ officers and employees in the Office for
15 | ~~((Women's)) Civil Rights~~;
16 | D. Provide staff support for the Seattle Women's Commission, the Seattle Human Rights
17 | Commission, and the Seattle Commission ~~((for Lesbians and Gays))~~ for Sexual Minorities, and consult
18 | with and report regularly to the Seattle Women's Commission, the Seattle Human Rights Commission,
19 | and the Seattle Commission for ~~((Lesbians and Gays))~~ Sexual Minorities on the workings of the Office
20 | for ~~((Women's)) Civil Rights~~, ~~((submit quarterly written reports to the Commissions on the activities of~~
21 | ~~the office))~~, and attend either in person or by designated representative, all regular meetings of the
22 | Seattle Women's Commission, the Seattle Human Rights Commission, and the Seattle Commission for
23 | ~~((Lesbians and Gays))~~ Sexual Minorities;
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1 E. Administer all ordinances pertaining to the Office for ((Women's)) Civil Rights and take
2 appropriate remedial action where necessary;

3 F. ~~((With the advice of the ((Seattle Women's Commission and the Seattle Commission for~~
4 ~~Lesbians and Gays)) Seattle Civil Rights Commission, manage)) Manage the preparation of the
5 proposed annual budget of the Office for ((Women's)) Civil Rights, and authorize necessary
6 expenditures, and supervise the maintenance of adequate accounting systems;~~

7 G. ~~((Develop programs serving women and sexual minorities and seek additional funding~~
8 ~~sources;)) After identifying priority issue areas, develop policies and programs, and seek additional~~
9 ~~funding sources in these areas, which seek to ameliorate the effects of disparate treatment and impact~~
10 ~~upon persons based on race, color, sex, parental status, sexual orientation, political ideology, age, creed,~~
11 ~~religion, ancestry, national origin, or the race of any sensory, mental or physical disability;~~

12 H. Make periodic reports and recommendations to the Mayor and City Council concerning
13 the operations of the Seattle Women's Commission, the Seattle Human Rights Commission, the Seattle
14 Commission for ((~~Lesbians and Gays~~)), Sexual Minorities, and the Office for ((Women's)) Civil Rights;

15 I. Receive, consider and make recommendations concerning statements, reports and
16 complaints relative to problems of civil rights including such problems of civil rights as may arise in
17 connection with the treatment, facilities or services of any office or department of the City;

18 J. Exercise such other and further powers and duties as shall be prescribed by ordinance.
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1 Section 8. Subsections A and B of Section 3.14.915 of the Seattle Municipal Code are amended
2 as follows:

3 **3.14.915 Grants and donations-Information and education projects-Account in trust fund.**

4 A. The Director of the Office for ~~((Women's))~~ Civil Rights is authorized from time to time
5 for and on behalf of The City of Seattle to solicit, apply for, accept and expend donations, grants and
6 other funds and in-kind services or materials from individuals, corporations and associations,
7 foundations and nonprofit organizations, other governments, and the public-at-large in order to produce,
8 provide or disseminate public information and educational or advocacy materials, projects, or programs
9 on issues relating to ~~((the)) civil rights and equal opportunity ((of women and sexual minorities))~~, and to
10 provide an acknowledgment in any of its publications to those whose assistance enabled its preparation
11 or distribution.

12 B. All donations, grants or other funds received shall be deposited into the "~~((OWR))~~ OCR
13 Public Information and Educational Materials\Projects" Account, which is hereby created, in the General
14 Donation and Gift Trust Fund. The account shall also be credited with a pro rata share of the earnings of
15 investment of Fund balances, refunds due on expenditures from the account, and other payments that the
16 Director and the Finance Director determine to be due. Disbursements shall be made in accordance with
17 Section 3.14.918.

18 Section 9. Section 3.14.918 of the Seattle Municipal Code is amended as follows:

19 **3.14.918 Appropriations and expenditures-~~((OWR))~~ OCR Public Information and**
20 **Educational Materials Account.**

21 Effective upon their deposit, the Director of the Office for ~~((Women's))~~ Civil Rights is authorized
22 to submit vouchers to the Finance Director for expenditure of the funds in the ~~((OWR))~~ OCR
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1 Public Information and Educational Materials\Projects Account established by Section 3.15.915, as the
2 Director deems appropriate for producing, providing, or disseminating public information and
3 educational or advocacy materials, projects or programs relating to ~~((the rights of women and sexual~~
4 ~~minorities))~~ various protected class groups approved by the Office for Civil Rights. All necessary
5 appropriations therefor are hereby made and authorized.

6 Section 10. Section 3.14.920 of the Seattle Municipal Code is amended as follows:

7 **3.14.920 ((Seattle Women's)) Commission-Established-Membership.**

8 There is established a Seattle Women's Commission, to be composed of twenty (20) members
9 appointed from among those persons who are conscious of the discrimination against and oppression of
10 women in this society, and who are working to eliminate these injustices; a Seattle Human Rights
11 Commission, to be composed of fifteen (15) members who shall be representative citizens and shall
12 include representatives of minority communities, other protected classes, and persons with a
13 demonstrated concern and background in human rights; and a Seattle Commission for Sexual Minorities
14 to be composed of fifteen (15) members appointed from among those persons who are conscious of the
15 discrimination against and oppression of lesbians, gays and sexual minorities in this society, and who
16 are working to eliminate these injustices. Upon the expiration of existing terms, new appointments to
17 each position on each commission shall be made under this section by the authority originally appointing
18 persons to that position, as follows:

19 A. Seattle Women's Commission: Nine (9) members shall be appointed by the Mayor, nine
20 (9) members shall be appointed by the City Council, and the nineteenth and twentieth members shall be
21 appointed by the Commission as constituted; provided that, such appointments shall be made so as to
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1 reflect the diversity of the community. (~~The nominating authority shall provide public notice of a~~
2 ~~vacant position~~)).

3 B. Seattle Human Rights Commission and Seattle Commission for Sexual Minorities:
4 Seven (7) members shall be appointed by the Mayor, seven (7) members shall be appointed by the City
5 Council, and the fifteenth member shall be appointed by the Commission as constituted; provided that,
6 such appointments shall be made so as to reflect the diversity of the community.

7 C. All appointments shall be subject to confirmation by a majority vote of the City Council.
8 Each member appointed pursuant to the authority of this section shall serve for a term of (~~three (3))~~)
9 two (2) years, but no member shall serve more than two (2) consecutive (~~three (3))~~) two (2) year terms.
10 If a member is appointed to serve an unexpired term of a previous commission appointee, that term shall
11 qualify as one of two consecutive terms. Any vacancy shall be filled for the unexpired term in the same
12 manner as an original appointment.
13

14 ✓ Section 11. Section 3.14.930 of the Seattle Municipal Code is amended as follows:

15 **3.14.930 Seattle Women's Commission-Duties.**

16 The Seattle Women's Commission shall:

17 A. Advise the Mayor, City Council, and other City departments and offices with respect to
18 matters concerning women;

19 B. Provide information to the Mayor, City Council, and other City departments, and offices
20 concerning issues of importance to women;

21 C. Assist City departments to address fairly the concerns of women, individually and as a
22 protected class under City ordinance and other applicable laws; (~~and~~)
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1 D. As appropriate, recommend policies to all departments and offices of the City in matters
2 affecting women and recommend legislation for the implementation of such policies;

3 E. Report on a semi-annual basis to the Mayor and the City Council. The reports shall
4 include an annual or semi-annual workplan, a briefing of the Commission's public involvement process
5 for soliciting community and citizen input in framing their annual workplans, and updates on the
6 workplans; and

7 F. Meet on a quarterly basis through a designated representative with the Seattle Human
8 Rights Commission and the Seattle Commission for Sexual Minorities, to ensure coordination and joint
9 project development.

10 ✓ Section 12. Section 3.22.080 of the Seattle Municipal Code is amended as follows and is
11 recodified as part of chapter 3.14:

12 **((3.22.080)) 3.14.931 Seattle Human Rights Commission-Duties**

13 The Seattle Human Rights Commission shall act in an advisory capacity to the Mayor, City
14 Council, ((Department of Human)) Office for Civil Rights and other City departments on respect to
15 matters affecting human rights and in furtherance thereof shall have the following specific
16 responsibilities:
17

18 A. To consult with and make recommendations to the Director of ((Human)) the Office for
19 Civil Rights and other City departments and officials with regard to the development of programs for the
20 promotion of equality, justice and understanding among all citizens of the City;

21 B. To consult with and make recommendations to the Director of ((Human)) the Office for
22 Civil Rights with regard to problems arising in the City which may result in discrimination because of
23 race, religion, creed, color, ((or)) national origin, sex, parental status, sexual orientation, political
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1 ideology, age, ancestry, or the presence of any sensory, mental, or physical disability, and to make such
2 investigations and hold such hearings as may be necessary to identify such problems;

3 C. As appropriate, recommend policies to all departments and offices of the City in matters
4 affecting civil rights and equal opportunity, and recommend legislation for the implementation of such
5 policies; ((To consult with the Director of Human Rights on matters pertaining to the proposed annual
6 budget of the Department of Civil Rights during the period of its preparation and from time to time
7 thereafter;))

8 D. Encourage understanding between all protected classes and the larger Seattle community,
9 through long range projects;

10 E. Hear appeals and hearings as set forth in chapters 14.04 and 14.08 of the Seattle
11 Municipal Code;

12 F. Report on a semi-annual basis to the Mayor and the City Council. The reports shall
13 include an annual or semi-annual workplan, a briefing of the Commission's public involvement process
14 for soliciting community and citizen input in framing their annual workplans, and updates on the
15 workplans; and

16 G. Meet on a quarterly basis through a designated representative with the Seattle Women's
17 Commission and the Seattle Commission for Sexual Minorities, to ensure coordination and joint project
18 development.

19 Section 13. Section 3.14.970 of the Seattle Municipal Code is amended as follows and is
20 recodified as part of chapter 3.14:

21 **3.14.932 Seattle Commission for ((~~Lesbians and Gays~~)) Sexual Minorities-Duties**

22 The Seattle Commission for ((~~Lesbians and Gays~~)) Sexual Minorities shall:

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1 A. Provide information to the Mayor, City Council, and other City departments and offices
2 concerning issues of importance to lesbians, gays, and other sexual minorities;

3 B. Assist City departments to address fairly the concerns of lesbians, gays, and other sexual
4 minorities individually and as a protected class under City ordinance and other applicable
5 laws;

6 C. As appropriate, recommend policies to all departments and offices of the City in matters
7 affecting gay, lesbian, and sexual minority concerns, and recommend legislation for the implementation
8 of such policies; ((and))
9

10 D. Encourage understanding between the lesbian, gay, and sexual minority communities and
11 the larger Seattle community, through long-range projects.

12 E. Report on a semi-annual basis to the Mayor and the City Council. The reports shall
13 include an annual or semi-annual workplan, a briefing of the Commission's public involvement process
14 for soliciting community and citizen input in framing their annual workplans, and updates on the
15 workplans; and

16 F. Meet on a quarterly basis through a designated representative with the Seattle Women's
17 Commission and the Seattle Human Rights Commission, to ensure coordination and joint project
18 development.
19

20 Section 14. Section 3.14.940 of the Seattle Municipal Code is amended as follows:

21 **3.14.940 Commissions-Organization-Adoption of rules.**

22 The Seattle Women's Commission, the Seattle Human Rights Commission, and the Seattle
23 Commission for ((Lesbians and Gays)) Sexual Minorities shall each organize itself and shall adopt such
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1 rules and administrative procedures for its own governance, consistent with City Charter and ordinances,
2 as are necessary for its functions and responsibilities.

3 Section 15. Section 3.22.040 of the Seattle Municipal Code is amended as follows and is
4 recodified as part of Chapter 3.14:

5 **((3.22.040)) 3.14.911 Adoption of rules.**

6 The Director of ~~((Human))~~ the Office for Civil Rights, with the advice of the Human Rights
7 Commission, shall adopt, promulgate, amend, and rescind suitable rules and regulations consistent with,
8 and to carry out the provisions of this subchapter or any other ordinance administered or enforced by the
9 Director of ~~((Human))~~ the Office for Civil Rights.

10 Section 16. Section 3.22.050 of the Seattle Municipal Code is amended as follows and is
11 recodified as part of chapter 3.14:

12 **((3.22.050)) 3.14.912 Director's right to subpoena witnesses and take testimony.**

13 A. In the performance of the duties imposed upon him/her by this subchapter or any other
14 ordinance, the Director of ~~((Human))~~ the Office for Civil Rights may subpoena witnesses, compel their
15 attendance, administer oaths, take the testimony of any person, under oath, and in connection therewith,
16 require the production for examination of any books, records or other information relating to any subject
17 matter under investigation or in question by the ~~((Department of Human))~~ Office for Civil Rights or the
18 Human Rights Commission and conduct discovery procedures which may include the taking of
19 interrogatories and oral depositions.

20 B. No person shall be excused from attending and testifying or from producing records,
21 correspondence, documents or other evidence in obedience to a subpoena on the ground that the
22 testimony or evidence required may tend to incriminate or subject that person to penalty or forfeiture,
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1 but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any
2 transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against
3 self-incrimination, to testify or produce evidence, except that such person so testifying shall not be
4 exempt from prosecution and punishment for perjury committed in so testifying.

5 C. In case of contumacy or refusal to obey a subpoena or other process or discovery issued
6 to any person, the Director of ((Human)) the Office for Civil Rights may invoke the aid of the City
7 Attorney who shall apply to the appropriate court for an order or other court action necessary to secure
8 enforcement of the subpoena.

9
10 ✓ Section 17. Section 3.22.250 of the Seattle Municipal Code is amended as follows and is
11 recodified as part of Chapter 3.14:

12 **~~((3.22.250))~~ 3.14.913 Funds for settlement of claims.**

13 There is hereby established in the ((Human)) Civil Rights Department Program Category 1400 -
14 "Discrimination Claims" in order to provide for settlement of valid employment discrimination claims
15 filed with ((HRD)) the Office for Civil Rights against the City. In no case shall individual payments
16 from this program category exceed Two Thousand Five Hundred Dollars (\$2,500.00) for settlement of
17 one (1) case. The ((Human)) Civil Rights Director may authorize payments upon completion of the
18 documentation of case settlement as provided in Seattle Municipal Code 14.04.150 (Ordinance 109116,
19 Section 12(B)). Funds appropriated for this program category shall not be transferred into any other
20 program category; and SMC Chapter 5.08 is superseded to the extent it is inconsistent with this
21 prohibition upon transfers.
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1 Section 18. Subsection B of Section 3.110.260 of the Seattle Municipal Code is amended as
2 follows:

3 **3.110.260 Discrimination prohibited.**

4 B. To assure equality of employment opportunity, the public corporation:

5 1. Will not discriminate in employment because of age, race, color, creed, religion,
6 sex, national origin, marital status, sexual orientation, or political ideology, or against a physically
7 handicapped person capable of performing the work;

8 2. Will take affirmative action to ensure that applicants are employed, and that
9 employees are treated during employment without regard to their age, race, color, religion, sex or
10 national origin. This requirement shall apply to but not be limited to the following: employment,
11 upgrading, demotion, or transfer; recruitment or recruitment activities; layoff or termination; rates of pay
12 or other forms of compensation; and selection for training, including apprenticeship. The public
13 corporation shall post in conspicuous places, available to employees and applicants for employment,
14 notices setting forth the provisions of this nondiscrimination clause. The public corporation will, in all
15 solicitations or advertisements for employees placed by or on behalf of the public corporation, state that
16 all qualified applicants will receive consideration for employment without regard to age, race, color,
17 religion, sex or national origin;

18 3. Will establish and maintain an affirmative action program to provide equality of
19 employment opportunity and to overcome the effects of past discrimination comparable to that
20 maintained by the City for employment by City departments and agencies, which shall meet the
21 requirements of Ordinance 101548 and be reviewed on a quarterly basis by the City's ((Department of
22 Human Rights and/or its)) Office ((of Women's)) for Civil Rights, or successor agency(s), and secure its
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1 approval; provided, that public corporations employing fewer than four (4) persons shall not be required
2 to comply with the reporting requirements of Ordinance 101548, as amended; provided, a public
3 corporation emphasizing Indian arts or culture or services and programs oriented toward American
4 Indians may give preference in employment to American Indians when a grant agreement with the
5 United States of America or an Indian Tribe generating the employment so specifies.

6
7 ✓ Section 19. Subsection M of Section 4.13.010 of the Seattle Municipal Code is amended as
8 follows:

9 **4.13.010 Exemptions from the Civil Service and Public Safety Civil Service Systems.**

10 In addition to those positions exempted by statute, City Charter, or other ordinance provision
11 (elected officers, officers appointed pursuant to the City Charter, assistant City attorneys, heads of
12 employing units, members of boards and commissions established by the City Charter, members of
13 boards and commissions established by ordinance, positions excluded from the Public Safety Civil
14 Service System pursuant to SMC Section 4.08.060 , system-wide exemptions provided for in SMC
15 Section 4.13.020 , and library employees), the positions of City employment listed in the subsections of
16 this section requiring a particularly high degree of professional responsiveness and individual
17 accountability, or requiring a confidential or fiduciary relationship with the appointing authority, or
18 being judicial positions requiring insulation as a third branch of government, are hereby declared to be
19 exempt from the Seattle Municipal Code Chapters 4.04, 4.08, and the rules of the Personnel Department
20 and the Public Safety Civil Service Commission regarding examination, selection, discipline,
21 termination, and appeals.
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Employing Unit - Titles of Exempt Positions

* * *

M. ~~((Human))~~ Civil Rights

Administrative Staff Assistant

Policy Development and Outreach Director

Enforcement Manager - ~~((Human))~~ Civil Rights

~~((Staff Assistant - Human Rights Commission/Department))~~

Section 20. Subsection C of Section 4.20.810 of the Seattle Municipal Code is amended as follows:

4.20.810 Reporting improper governmental action-Employee protection.

C. Employee Protections and Protected Conduct.

1. The following conduct by employees is protected if carried out in good faith under this subchapter:

a. reporting sexual harassment to the employee's supervisor, EEO officer, department head, or other government official as set out in the City's adopted procedure for reporting sexual harassment complaints; reporting violations of the Fair Employment Practices ordinance to the ~~((Human))~~ Office for Civil Rights ~~((Department))~~; reporting police misconduct to the Police Department's Internal Investigation Section; reporting violations of the Code of Judicial Conduct by Municipal Court judges to the Washington State Commission on Judicial Conduct; reporting violations of criminal laws to the appropriate county prosecuting attorney; and reporting violations of the Elections Code or the Ethics Code, and any actions for which no other appropriate recipient of a report is listed in this subsection, to the Executive Director of the Seattle Ethics and Elections Commission;

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1 ✓ Section 21. Section 4.20.850 of the Seattle Municipal Code is amended as follows:

2 **4.20.850 Definitions.**

3 As used in Sections 4.20.800 through 4.20.860 , the following terms shall have these meanings:

4 A. "Auditing official" means, each in connection with a report of improper governmental
5 action within his, her, or its respective jurisdiction, the Executive Director of the Seattle Ethics and
6 Elections Commission; a person to whom sexual harassment was properly reported according to City
7 policy; the ((Human)) Office for Civil Rights ((Department)); the Washington State Commission on
8 Judicial Conduct; the Police Department's Internal Investigations Section; the county prosecuting
9 attorneys of the State of Washington; and any authorized assistant or representative of any of them in
10 cases within their respective appropriate jurisdictions.

11 ✓ Section 22. Subsection B of Section 6.212.042 of the Seattle Municipal Code is amended as
12 follows:

13 **6.212.042 Regulation of fares-Limiting licenses outstanding.**

14 B. Purpose; Goal. The maximum limit on licenses shall be set each year by ordinance and to
15 provide Seattle residents and visitors with prompt, efficient taxicab service responsive to public demand;
16 in inviting, well-maintained taxicabs that meet all safety and equipment standards; at reasonable fares
17 and charges; without establishing a substantial scarcity value; and in a manner that accords equal
18 employment and business opportunity and non-discriminatory treatment as contemplated by Seattle's
19 ((Human)) Civil Rights ordinances, and, in event of an agreement with King County for regional
20 licensing, the terms and goals of the agreement.
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Section 23. Subsection A of Section 14.04.020 of the Seattle Municipal Code is amended as follows:

14.04.020 Declaration of policy.

A. It is declared to be the policy of the City, in the exercise of its police powers for the protection of the public health, safety, and general welfare, and for the maintenance of peace and good government, to assure equal opportunity to all persons, free from restrictions because of race, color, sex, marital status, sexual orientation, political ideology, age, creed, religion, ancestry, national origin, or the presence of any sensory, mental or physical ((handicap)) disability. The role of the Office for ((Human)) Civil Rights ((Department)) is to enforce the provisions of this chapter in furtherance of this policy.

Section 24. Subsections D, E, and L of Section 14.04.030 of the Seattle Municipal Code are amended as follows:

14.04.030 Definitions.

When used in this chapter, unless the ((content)) context otherwise requires:

* * *

D. "Department" means the ((Department of Human)) Office for Civil Rights of the City.

E. "Director" means the Director of the ((Department of Human)) Office for Civil Rights.

* * *

L. "Party" includes the person charging or making a complaint or upon whose behalf a complaint is made alleging an unfair employment practice, the person alleged or found to have committed an unfair employment practice and the ((Department of Human)) Office for Civil Rights.

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1 Section 25. Subsection C of Section 14.04.050 of the Seattle Municipal Code is amended as
2 follows:

3 **14.04.050 Exclusions from unfair practices.**

4 C. The provisions of Section 14.04.040 insofar as they declare discrimination on the basis of age
5 to be an unfair employment practice shall not be applicable with respect to individuals who are under
6 forty (40)~~((or over seventy (70)))~~ years of age~~((except that the provisions of that section shall be~~
7 ~~applicable with respect to applicants for employment with, or to employees of, the City who are over~~
8 ~~seventy (70) years of age))~~.

9
10 ✓ Section 26. Section 14.04.060 of the Seattle Municipal Code is amended as follows:

11 **14.04.060 Powers and duties of Department.**

12 A. The ~~((Seattle Human))~~ Office for Civil Rights ~~((Department))~~ shall receive, investigate,
13 and pass upon charges alleging unfair practices as defined by this chapter, conciliate and settle the same
14 by agreement, and monitor and enforce any agreements or orders resulting therefrom or from a
15 subsequent hearing thereon under and pursuant to the terms of this chapter; and shall have such powers
16 and duties in the performance of these functions as are defined in this chapter and otherwise necessary
17 and proper in the performance of the same and provided for by law. The Department shall further assist
18 the Commission and other City agencies and departments upon request in effectuating and promoting
19 the purposes of this chapter.

20
21 B. The Director is authorized and directed to promulgate rules consistent with this chapter
22 and the Administrative Code.

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1 Section 27. Subsection A of Section 14.04.080 of the Seattle Municipal Code is amended as
2 follows:

3 **14.04.080 Charge Filing.**

4 A. A charge alleging an unfair employment practice shall be in writing on a form or in a format
5 determined by the Department, and signed under oath or affirmation by or on behalf of a charging party
6 before the Director, one of the Department's employees, or any other person authorized to administer
7 oaths, and shall describe the unfair employment practice complained of and should include a statement
8 of the dates, places and circumstances and the persons responsible for such acts and practices.

9
10 ✓ Section 28. Section 14.04.090 of the Seattle Municipal Code is amended as follows:

11 **14.04.090 Charge-Time for filing.**

12 Charges filed under this chapter must be filed within ~~((six (6) months))~~ one hundred and eighty
13 (180) days after the occurrence of the alleged unfair employment practice with the ~~((Department of~~
14 ~~Human))~~ Office for Civil Rights. ~~((For charges involving respondents who are City departments, the~~
15 ~~Department shall then cause the charge to be presented to the City Council by filing a claim for damages~~
16 ~~with the City Clerk.))~~

17
18 ✓ Section 29. Section 14.04.100 of the Seattle Municipal Code is amended as follows:

19 **14.04.100 Charge amendments.**

20 The charging party or the Department may amend a charge to cure technical defects or
21 omissions; or to clarify and amplify allegations made therein; or to add allegations related to or arising
22 out of the subject matter set forth, or attempted to be set forth, in the original charge. For jurisdictional
23 purposes, such amendments shall relate back to the date the original charge was first filed. The charging
24 party may also amend a charge to include allegations of additional unrelated discriminatory acts and/or
25

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1 retaliation which arose after filing of the original charge. The amendment must be filed within ~~((six (6)~~
2 ~~months))~~ one hundred and eighty (180) days after the occurrence of the additional discriminatory act
3 and/or retaliation and prior to the Department's issuance of findings of fact and a determination with
4 respect to the original charge. Such amendments may be made at any time during the investigation of the
5 original charge so long as the ~~((Director))~~ Department will have adequate time to investigate such
6 additional allegations and the parties will have adequate time to present the ~~((Director))~~ Department
7 with evidence concerning such allegations before the issuance of findings of fact and a determination.
8

9 Section 30. Subsection D of Section 14.04.110 of the Seattle Municipal Code is amended as
10 follows:

11 **14.04.110 Charge-Notice and investigation.**

12 D. The Director may require a fact finding conference or participation in another process with the
13 respondent and any of respondent's agents and witnesses and charging party during the investigation in
14 order to define the issues, determine which elements are undisputed, resolve those issues which can be
15 resolved, and afford an opportunity to discuss or negotiate settlement. Parties may have their legal
16 counsel present if desired.

17 Section 31. Subsection A of Section 14.04.120 of the Seattle Municipal Code is amended as
18 follows:

19 **14.04.120 Findings of fact and determination of reasonable cause or no reasonable cause.**

20 A. The results of the investigation shall be reduced to written findings of fact and a
21 determination shall be made by the Director that there is or is not reasonable cause for believing that an
22 unfair practice has been or is being committed, which determination shall also be in writing and issued
23 with the written findings of fact. Where a City department is a respondent the Director shall issue such
24
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findings and determination only after having submitted proposed findings and determinations to the respondent and charging party for review and comment. With respect to the findings and determination, "issued" shall be defined as signed and dated by the Director.

Section 32. Section 14.04.130 of the Seattle Municipal Code is amended as follows:

14.04.130 Determination of no reasonable cause-Appeal from and dismissal.

If a determination is made that there is no reasonable cause for believing an unfair employment practice under this chapter has been committed, the charging party shall have the right to appeal such determination to the Commission within thirty (30) days of the date ((of)) the determination is signed by the Director by filing a written statement of appeal with the Commission. The Commission shall promptly deliver a copy of the statement to the Department and respondent and shall promptly consider and act upon such appeal by either affirming the Director's determination or remanding it to the Director with appropriate instructions. In the event no appeal is taken or such appeal results in affirmance, the determination of the Director shall be final and the charge deemed dismissed and the same shall be entered on the records of the Department.

Section 33. Section 14.08.010 of the Seattle Municipal Code is amended as follows:

14.08.010 Short title and purposes.

A. This chapter shall be known as and may be cited as the "Open Housing and Public Accommodations Ordinance." The general purposes of this chapter are to promote the availability and accessibility of housing and real property to all persons; to prohibit unfair practices in real property transactions, whether direct or indirect, which inexcusably and unjustifiably deny those persons equal rights and opportunities in acquiring, disposing of or occupying real property; to assure all persons equal opportunity to the full enjoyment of places of public accommodation; to eliminate and to prevent

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1 unlawful discrimination in places of public accommodation; to provide enforcement mechanisms for the
2 accomplishment of such purposes; and to these ends the provisions of this chapter shall be liberally
3 construed. The role of the ((Human)) Office for Civil Rights ((Department)) is to enforce the provisions
4 of this chapter in furtherance of this policy.

5 Section 34. Subsections D, E, F, Q and EE of Section 14.08.020 of the Seattle Municipal Code
6 are amended as follows:

7 **14.08.020 Definitions.**

8 Definitions as used in this chapter, unless additional meaning clearly appears from the context,
9 shall have the meanings subscribed:

10 E. "Department" means the Seattle ((Human)) Office for Civil Rights ((Department)).

11 F. "Director" means the ((Seattle)) Director of ((Human)) the Office for Civil Rights
12 ((Department)).

13 Q. "Party" includes the person charging or making a charge or complaint or upon whose
14 behalf a complaint is made alleging an unfair practice, the person alleged or found to have
15 committed an unfair practice and the ((Human)) Office for Civil Rights ((Department)).

16 EE. "Sexual orientation" means actual or perceived male or female heterosexuality,
17 bisexuality, homosexuality, transsexuality, or ((transvestism)) transvestitism and includes a person's
18 attitudes, preferences, beliefs and practices pertaining thereto.

19 Section 35. Section 14.08.110 of the Seattle Municipal Code is amended as follows:

20 **14.08.110 Time for filing charges.**

21 Charges filed under this chapter must be filed with the Department within ((six (6) months)) one
22 hundred and eighty (180) days after the occurrence of the alleged unfair practice. ((For charges involving

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1 respondents who are City departments, the Department shall then cause the charge to be presented to the
2 City Council by filing a claim for damages with the City Clerk.))

3 Section 36. Subsection B of Section 14.08.120 of the Seattle Municipal Code is amended as
4 follows:

5 **14.08.120 Charge--Amendments.**

6 B. The charging party may amend a charge to include allegations of retaliation which arose after
7 the filing of the original charge. Such amendment must be filed within ~~((six (6) months))~~ one hundred
8 and eighty (180) days after the occurrence of the retaliation, and prior to the Department's issuance of
9 findings of fact and determination with respect to the original charge. Such amendments may be made at
10 any time during the investigation of the original charge so long as the Department will have adequate
11 time to investigate the additional allegations and the parties will have adequate time to present the
12 Department with evidence concerning the additional allegations before the issuance of findings of fact
13 and a determination.

14 Section 37. Subsection D of Section 14.08.130 of the Seattle Municipal Code is amended as
15 follows:

16 **14.08.130 Notice of charge and investigation.**

17 D. The Director may require a fact finding conference or participation in another process with the
18 respondent and any of respondent's agents and witnesses and charging party during the investigation in
19 order to define the issues, determine which elements are undisputed, resolve those issues which can be
20 resolved, and afford an opportunity to discuss or negotiate settlement. Parties may have their legal
21 counsel present if desired.
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1 Section 38. Subsection A of Section 14.08.140 of the Seattle Municipal Code is amended as
2 follows:

3 **14.08.140 Findings of fact and determination of reasonable cause or no reasonable cause.**

4 A. The results of the investigation shall be reduced to written findings of fact and a determination
5 shall be made by the Director that there is or is not reasonable cause for believing that an unfair practice
6 has been or is being committed, which determination shall also be in writing and issued with the written
7 findings of fact. With respect to the findings and determination, "issued" shall be defined as signed and
8 dated by the Director.
9

10 Section 39. Section 14.08.150 of the Seattle Municipal Code is amended as follows:

11 **14.08.150 Determination of no reasonable cause-Appeal from and dismissal.**

12 If a determination is made that there is no reasonable cause for believing an unfair practice under
13 this chapter has been committed, the charging party shall have the right to appeal such determination to
14 the Commission within thirty (30) days of the date ~~((of said))~~ the determination is signed by the
15 Director by filing a written statement of appeal with the Commission. The Commission shall promptly
16 deliver a copy of the statement to the Department and respondent and shall promptly consider and act
17 upon such appeal by either affirming the Director's determination or remanding it to the Director with
18 appropriate instructions. In the event no appeal is taken or such appeal results in affirmance or if the
19 Commission has not decided the appeal within the sixty (60) days allotted, the determination of the
20 Director shall be final and the charge deemed dismissed and the same shall be entered on the records of
21 the Department. Any party aggrieved by the final dismissal may appeal the order on the record to an
22 appropriate court.
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1 Section 40. Section 20.46.070 of the Seattle Municipal Code is amended as follows:

2 **20.46.070 Utilization goals.**

3 A. The Mayor, with the advice of the Director, the Director of the Office for ((Women's))
4 Civil Rights, and contract awarding authorities, shall establish separate City-wide annual goals for the
5 utilization of women's business enterprises and for the utilization of minority business enterprises. These
6 goals shall be expressed in terms of a percentage of the total dollar value of all contracts to be awarded
7 by the City, and may be established separately for categories of contracting such as public works,
8 consultant, concession and purchasing contracts.

9
10 B. The City-wide annual goal for the utilization of women's business enterprises shall be
11 reasonably achievable and shall be based upon factors such as:

12 1. The level of participation of women's business enterprises on past contracts
13 awarded by the City which have contained women's business enterprise requirements;

14 2. The level of participation of women's business enterprises on contracts awarded
15 by other governmental agencies in the Seattle area which have utilized women's business enterprise
16 requirements;

17 3. The availability of women's business enterprises which are capable of providing
18 goods and services to the City; and

19 4. The degree to which such annual goals will contribute to the achievement of the
20 ultimate goal as set forth in Section 20.46.030 . The City-wide annual goal shall be not less than three
21 percent (3%) for women's business enterprises.
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1 C. The City-wide annual goal for the utilization of minority business enterprises shall be
2 reasonably achievable and shall be based on the availability of minority business enterprises which are
3 capable of providing goods and services to the City.

4 D. The Mayor, with the advice of the Director, the Director of the Office for ((Women's))
5 Civil Rights, and each contract awarding authority, shall establish separate annual goals for utilization of
6 women's business enterprises and minority business enterprises by that awarding authority; these goals
7 shall be expressed as a percentage of the total dollar value of all contracts to be awarded by the contract
8 awarding authority, and may be established separately by contract category; they shall equal or exceed
9 the City-wide annual goals.
10

11 Section 41. Subsection A of Section 20.46A.060 of the Seattle Municipal Code is amended as
12 follows:

13 **20.46A.060 Powers and duties of Director .**

14 A. In addition to duties and powers given to the Director elsewhere, the Director shall:

15 1. Adopt rules and regulations, in accordance with this chapter and the
16 Administrative Code of The City of Seattle (SMC Chapter 3.02), establishing standards and procedures
17 for effectively carrying out this chapter;

18 2. Adopt rules and regulations in accordance with the Administrative Code of The
19 City of Seattle (SMC Chapter 3.02) establishing practices and procedures for effectively implementing
20 49 CFR Part 23, Subpart D2;
21

22 3. Provide information and technical assistance to WMBEs to increase their capacity
23 to effectively compete for the award of City contracts;
24
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- 1 4. Assist City and community agencies to increase WMBE participation on City
2 contracts;
- 3 5. Develop educational programs and otherwise assist WMBEs to compete
4 effectively for City contracts;
- 5 6. With the advice of the Director of the Office for ((Women's)) Civil Rights and of
6 the directors of other City departments, annually recommend to the Mayor appropriate targets for WBE
7 and MBE, utilization;
- 8 7. With the advice of the directors of appropriate contract awarding authorities,
9 annually recommend to the Mayor appropriate goals for DBE utilization in federally funded, City-
10 administered projects where utilization of such businesses is required by state or federal law;
- 11 8. Request and review relevant records, information, and documents maintained by
12 contract awarding authorities, contract administering authorities, contractors and subcontractors for the
13 purpose of determining compliance with the requirements of this chapter;
- 14 9. Review and report to the Mayor and to the City Council on the progress of
15 contract awarding authorities and contract administering authorities toward achievement of the annual
16 target for utilization of WMBEs;
- 17 10. Accept certifications by OMWBE of businesses as CBEs, DBEs, MBES,
18 MWBEs, or WBEs; and provide access to a listing of such businesses for use by contract awarding
19 authorities and contractors;
- 20 11. Prior to solicitation of bids or proposals for any City project involving
21 construction or consulting above the threshold amount set forth in SMC Section 20.46A.110, determine
22 the appropriate set-asides for WBEs and MBES;
- 23
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REPEALER

3.14.950	Transfer of employees and records
3.14.960	Seattle Commission for Lesbians and Gays -Establishing-Membership
3.22.010	Department created-Purpose
3.22.020	Director-Appointment
3.22.030	Director-Duties
3.22.060	Human Rights Commission-Membership
3.22.070	Commission-Organization.
3.114.170(F)	Environmental Impact Statement (EIS) consultant hiring practices (subsection F only)
20.46.060(D)	Powers and duties of Director (subsection D only)
20.46A.070	Powers and duties of the Director of the Office for Women's Rights

Section 43. Administrative Decisions. The Director of the Office for Civil Rights shall have the power to make all administrative decisions necessary to carry out the intent of this ordinance.

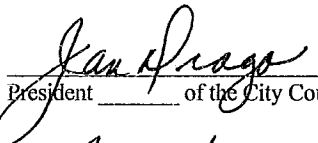
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1 Section 45. Severability. The several provisions of this ordinance are declared to be separate
2 and severable and the invalidity of any clause, sentence, paragraph, subdivision, section, or portion of
3 this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect
4 the validity of the remainder of this ordinance or the validity of its application to other persons or
5 circumstances.

6 Section 46. Ratification. Any act consistent with the authority and prior to the effective date of
7 this Ordinance is hereby ratified and confirmed.

8 Section 47. Effectiveness. This ordinance shall take effect and be in force thirty (30) days from
9 and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
10 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020; except that sections
11 6 through 42 shall take effect January 1, 1997.
12

13
14 Passed by the City Council the 18 day of November, 1996, and signed by me in open
15 session in authentication of its passage this 18 day of November, 1996.

16
17 
18 President _____ of the City Council

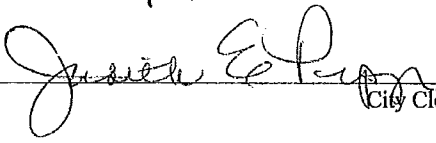
19 Approved by me this 26 day of November, 1996.

20
21 
22 Mayor

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Filed by me this 26 day of November, 1996.


City Clerk

(Seal)

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**TITLE AND AMENDED SECTION NUMBERS PUBLICATION, ALONG WITH THE FIRST
TEN (10) SECTIONS OF THIS ORDINANCE.**

ORDINANCE NO. 118392

AN ORDINANCE creating a new Office for Civil Rights by consolidating the Human Rights Department and the Office for Women's Rights; amending numerous Municipal Code Sections in Title 4 and chapters 3.14, 3.2, 10, 6.212, 14.04, 14.08, 20.46 and 20.46A of the Seattle Municipal Code; recodifying and renumbering various sections in those chapters; and making grammatical and typographical corrections to amended sections.

Section 1. Abolition of Department of Human Rights and Transfer of Powers, Duties and Resources.

Effective January 1, 1997, the Department of Human Rights is abolished. From and after that same date, except as provided elsewhere in this or another ordinance, all the functions, responsibilities, agreements, obligations, authorizations, powers, equipment, records, appropriations, positions, personnel, assets and liabilities of the Department of Human Rights shall belong to the Office for Civil Rights and the Director of the Office for Civil Rights is hereby authorized to perform all responsibilities, duties and obligations and exercise all powers heretofore belonging to the Director of the Department of Human Rights.

Section 2. Abolition of Office for Women's Rights and Transfer of Powers, Duties and Resources.

Effective January 1, 1997, the Office for Women's Rights is abolished. From and after that same date, except as provided elsewhere in this or another ordinance, all the functions, responsibilities, agreements, obligations, authorizations, powers, equipment, records, appropriations, positions, personnel, assets and liabilities of the Office for Women's Rights shall belong to the Office for Civil Rights and the Director of the Office for Civil Rights is hereby authorized to perform all responsibilities, duties and obligations and exercise all powers heretofore belonging to the Office for Women's Rights.

Section 3. Continuation of Authority. From and after January 1, 1997 all rules, regulations, notices and proceedings in effect on the effective date of this ordinance with respect to activities carried on by either the Department of Human Rights or the Office for Women's Rights shall continue in effect unless and until they expire of their own terms or are superseded, but the powers and responsibilities of

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the Director of the Department of Human Rights and of the Director of the Office for Women's Rights thereunder shall be performed by the Director of the Office for Civil Rights or, with respect to advocacy, program, legislation and policy development in the areas of domestic violence and sexual assault, by the Director of the Department of Housing and Human Services.

Section 4. Transfer of domestic violence functions. Effective January 1, 1997, the functions of advocacy, program, legislation and policy development in the areas of domestic violence and sexual assault are transferred to the Department of Housing and Human Services.

Section 5. The 1997 City Budget shall determine the organization of positions in the Office for Civil Rights and the reassignment of positions among offices and departments.

AMENDMENTS TO CODE SECTIONS

Section 6. Section 3.14.900 of the Seattle Municipal Code is amended as follows:

Subchapter VII Office for ~~((Women's))~~ Civil Rights

3.14.900 Office established-Purpose.

There ~~((shall be))~~ is established in the Executive Department an Office for ~~((Women's))~~ Civil Rights to ~~((study and act to identify and relieve the problems of women's civil rights))~~ provide city-wide leadership and guidance in the areas of civil rights and equal opportunity. It shall promote equal access to services within the City of Seattle and work to eliminate discrimination in housing, employment and public accommodations for Seattle residents ; ((to))recommend policies to all departments and divisions of City government in matters affecting ((womer's)) civil rights and equal opportunity to all people; ((to))recommend legislation for the implementation of such programs and policies; promote awareness within City government and the City of Seattle through public education and outreach; and ((to))provide staff support for the Seattle Women's Commission , the Seattle Human Rights Commission, and ((to))the Seattle Commission for ((Lesbians and Gays)) Sexual Minorities. ((The Office for ((Women's)) Civil Rights shall address issues of concern to sexual minorities. "Sexual minority" means a person having an actual or perceived sexual orientation of bisexuality, homosexuality, transsexuality, transgenderism, or transvestitism.))

Section 7. Section 3.14.910 of the Seattle Municipal Code is amended as follows:

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3.14.910 Director-Appointment.

There shall be a Director of the Office for ~~((Women's))~~ Civil Rights who shall be appointed by the Mayor ~~((, who may, but is not required to, make such appointment from among these persons, not less than four (4) in number, recommended for appointment by the Seattle ((Women's)) Civil Rights Commission ((and the Seattle Commission for Lesbians and Gays))))~~. Such an appointment shall be subject to confirmation by a majority vote of all members of the City Council. The Director of the Office for ~~((Women's))~~ Civil Rights shall not be included in the classified civil service. The Director of the Office for ~~((Women's))~~ Civil Rights shall be the head of and, under the direction of the Mayor, shall be responsible for the administration of the office and in connection with such administration shall have duties and responsibilities including but not limited to the following:

- A. Undertake ~~((all))~~ enforcement, policy and educational activities consistent with the ~~((purpose))~~ mission of the Office for ~~((Women's))~~ Civil Rights;
- B. ~~((For the governance))~~ Administer and govern ~~((and control of))~~ the Office for Civil ~~((Women's))~~ Rights;
- C. Appoint, remove, and supervise ~~((, and control))~~ officers and employees in the Office for ~~((Women's))~~ Civil Rights;
- D. Provide staff support for the Seattle Women's Commission, the Seattle Human Rights Commission, and the Seattle Commission ~~((for Lesbians and Gays))~~ for Sexual Minorities, and consult with and report regularly to the Seattle Women's Commission, the Seattle Human Rights Commission, and the Seattle Commission for ~~((Lesbians and Gays))~~ Sexual Minorities on the workings of the Office for ~~((Women's))~~ Civil Rights, ~~((submit quarterly written reports to the Commissions on the activities of the office))~~, and attend either in person or by designated representative, all regular meetings of the Seattle Women's Commission, the Seattle Human Rights Commission, and the Seattle Commission for ~~((Lesbians and Gays))~~ Sexual Minorities;
- E. Administer all ordinances pertaining to the Office for ~~((Women's))~~ Civil Rights and take appropriate remedial action where necessary;

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F. ~~((With the advice of the ((Seattle Women's Commission and the Seattle Commission for Lesbians and Gays)) Seattle Civil Rights Commission, manage))~~ Manage the preparation of the proposed annual budget of the Office for ~~((Women's))~~ Civil Rights, and authorize necessary expenditures, and supervise the maintenance of adequate accounting systems;

G. ~~((Develop programs serving women and sexual minorities and seek additional funding sources;))~~ After identifying priority issue areas, develop policies and programs, and seek additional funding sources in these areas, which seek to ameliorate the effects of disparate treatment and impact upon persons based on race, color, sex, parental status, sexual orientation, political ideology, age, creed, religion, ancestry, national origin, or the presence of any sensory, mental or physical disability;

H. Make periodic reports and recommendations to the Mayor and City Council concerning the operations of the Seattle Women's Commission, the Seattle Human Rights Commission, the Seattle Commission for ~~((Lesbians and Gays)), Sexual Minorities,~~ and the Office for ~~((Women's))~~ Civil Rights;

I. Receive, consider and make recommendations concerning statements, reports and complaints relative to problems of civil rights including such problems of civil rights as may arise in connection with the treatment, facilities or services of any office or department of the City;

J. Exercise such other and further powers and duties as shall be prescribed by ordinance.

Section 8. Subsections A and B of Section 3.14.915 of the Seattle Municipal Code are amended as follows:

3.14.915 Grants and donations-Information and education projects-Account in trust fund.

A. The Director of the Office for ~~((Women's))~~ Civil Rights is authorized from time to time for and on behalf of The City of Seattle to solicit, apply for, accept and expend donations, grants and other funds and in-kind services or materials from individuals, corporations and associations, foundations and nonprofit organizations, other governments, and the public-at-large in order to produce, provide or disseminate public information and educational or advocacy materials, projects, or programs on issues relating to ~~((the))~~ civil rights and equal opportunity ~~((of women and sexual minorities))~~, and to provide an acknowledgment in any of its publications to those whose assistance enabled its preparation or distribution.

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B. All donations, grants or other funds received shall be deposited into the "~~((OWR))~~ OCR Public Information and Educational Materials\Projects" Account, which is hereby created, in the General Donation and Gift Trust Fund. The account shall also be credited with a pro rata share of the earnings of investment of Fund balances, refunds due on expenditures from the account, and other payments that the Director and the Finance Director determine to be due. Disbursements shall be made in accordance with Section 3.14.918.

Section 9. Section 3.14.918 of the Seattle Municipal Code is amended as follows:

3.14.918 Appropriations and expenditures-~~((OWR))~~ OCR Public Information and Educational Materials Account.

Effective upon their deposit, the Director of the Office for ~~((Women's))~~ Civil Rights is authorized to submit vouchers to the Finance Director for expenditure of the funds in the ~~((OWR))~~ OCR Public Information and Educational Materials\Projects Account established by Section 3.15.915, as the Director deems appropriate for producing, providing, or disseminating public information and education... advocacy materials, projects or programs relating to ~~((the rights of women and sexual minorities))~~ various protected class groups approved by the Office for Civil Rights. All necessary appropriations therefor are hereby made and authorized.

Section 10. Section 3.14.920 of the Seattle Municipal Code is amended as follows:

3.14.920 ~~((Seattle Women's))~~ Commissions-Established-Membership.

There is established a Seattle Women's Commission, to be composed of twenty (20) members appointed from among those persons who are conscious of the discrimination against and oppression of women in this society, and who are working to eliminate these injustices; a Seattle Human Rights Commission, to be composed of fifteen (15) members who shall be representative citizens and shall include representatives of minority communities, other protected classes, and persons with a demonstrated concern and background in human rights; and a Seattle Commission for Sexual Minorities to be composed of fifteen (15) members appointed from among those persons who are conscious of the discrimination against and oppression of lesbians, gays and sexual minorities in this society, and who are working to eliminate these injustices. Upon the expiration of existing terms, new appointments to each

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position on each commission shall be made under this section by the authority originally appointing persons to that position, as follows:

A. Seattle Women's Commission: Nine (9) members shall be appointed by the Mayor, nine (9) members shall be appointed by the City Council, and the nineteenth and twentieth members shall be appointed by the Commission as constituted; provided that, such appointments shall be made so as to reflect the diversity of the community. ~~((The nominating authority shall provide public notice of a vacant position))~~.

B. Seattle Human Rights Commission and Seattle Commission for Sexual Minorities: Seven (7) members shall be appointed by the Mayor, seven (7) members shall be appointed by the City Council, and the fifteenth member shall be appointed by the Commission as constituted; provided that, such appointments shall be made so as to reflect the diversity of the community.

C. All appointments shall be subject to confirmation by a majority vote of the City Council. Each member appointed pursuant to the authority of this section shall serve for a term of ~~((three (3)))~~ two (2) years, but no member shall serve more than two (2) consecutive ~~((three (3)))~~ two (2) year terms. If a member is appointed to serve an unexpired term of a previous commission appointee, that term shall qualify as one of two consecutive terms. Any vacancy shall be filled for the unexpired term in the same manner as an original appointment.

NUMERICAL TABULATION OF SECTIONS AND SUB-SECTIONS AMENDED

Section 11. Section 3.14.930 of the Seattle Municipal Code is amended

Section 12. Section 3.22.080 of the Seattle Municipal Code is amended

Section 13. Section 3.14.970 of the Seattle Municipal Code is amended

Section 14. Section 3.14.940 of the Seattle Municipal Code is amended

Section 15. Section 3.22.040 of the Seattle Municipal Code is amended

Section 16. Section 3.22.050 of the Seattle Municipal Code is amended

Section 17. Section 3.22.250 of the Seattle Municipal Code is amended

Section 18. Subsection B of Section 3.110.260 of the Seattle Municipal Code is amended

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Section 19. Subsection M of Section 4.13.010 of the Seattle Municipal Code is amended

Section 20. Subsection C of Section 4.20.810 of the Seattle Municipal Code is amended

Section 21. Section 4.20.850 of the Seattle Municipal Code is amended

Section 22. Subsection B of Section 6.212.042 of the Seattle Municipal Code is amended

Section 23. Subsection A of Section 14.04.020 of the Seattle Municipal Code is amended

Section 24. Subsections D, E, and L of Section 14.04.030 of the Seattle Municipal Code are amended

Section 25. Subsection C of Section 14.04.050 of the Seattle Municipal Code is amended

Section 26. Section 14.04.060 of the Seattle Municipal Code is amended

Section 27. Subsection A of Section 14.04.080 of the Seattle Municipal Code is amended

Section 28. Section 14.04.090 of the Seattle Municipal Code is amended

Section 29. Section 14.04.100 of the Seattle Municipal Code is amended

Section 30. Subsection D of Section 14.04.110 of the Seattle Municipal Code is amended

Section 31. Subsection A of Section 14.04.120 of the Seattle Municipal Code is amended

Section 32. Section 14.04.130 of the Seattle Municipal Code is amended

Section 33. Section 14.08.010 of the Seattle Municipal Code is amended

Section 34. Subsections D, E, F, Q and EE of Section 14.08.020 of the Seattle Municipal Code are amended

Section 35. Section 14.08.110 of the Seattle Municipal Code is amended

Section 36. Subsection B of Section 14.08.120 of the Seattle Municipal Code is amended

Section 37. Subsection D of Section 14.08.130 of the Seattle Municipal Code is amended

Section 38. Subsection A of Section 14.08.140 of the Seattle Municipal Code is amended

Section 39. Section 14.08.150 of the Seattle Municipal Code is amended

Section 40. Section 20.46.070 of the Seattle Municipal Code is amended

Section 41. Subsection A of Section 20.46A.060 of the Seattle Municipal Code is amended

REPEALER

Section 42. The following sections or subsections of the Seattle Municipal Code are repealed:

3.14.950	Transfer of employees and records
3.14.960	Seattle Commission for Lesbians and Gays -Establishing-Membership
3.22.010	Department created-Purpose

3.22.020	Director-Appointment
3.22.030	Director-Duties
3.22.060	Human Rights Commission-Membership
3.22.070	Commission-Organization.
3.114.170(F)	Environmental Impact Statement (EIS) consultant hiring practices (subsection F only)
20.46.060(D)	Powers and duties of Director (subsection D only)
20.46A.070	Powers and duties of the Director of the Office for Women's Rights

NOTICE: The entire text may be examined at the offices of the City Clerk, 1st Floor, Seattle Municipal Building, 600 - 4th Avenue, Seattle, WA 98104, or will be mailed upon request.

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ORDINANCE _____

AN ORDINANCE creating a new Office for Civil Rights by consolidating the Human Rights Department and the Office for Women's Rights; amending numerous Municipal Code Sections in Title 4 and chapters 3.14, 3.22, 3.110, 6.212, 14.04, 14.08, 20.46 and 20.46A of the Seattle Municipal Code; recodifying or repealing various sections in those chapters; and making grammatical and typographical corrections to amended sections.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

ABOLITION AND TRANSFER OF FUNCTIONS

Section 1. Abolition of Department of Human Rights and Transfer of Powers, Duties and Resources.

Effective January 1, 1997, the Department of Human Rights is abolished. From and after that same date, except as provided elsewhere in this or another ordinance, all the functions, responsibilities, agreements, obligations, authorizations, powers, equipment, records, appropriations, positions, personnel, assets and liabilities of the Department of Human Rights shall belong to the Office for Civil Rights and the Director of the Office for Civil Rights is hereby authorized to perform all responsibilities, duties and obligations and exercise all powers heretofore belonging to the Director of the Department of Human Rights.

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City of Seattle

Executive Department—Office of Management and Planning

Thomas M. Tierney, Director
Norman B. Rice, Mayor



September 23, 1996

The Honorable Mark Sidran
City Attorney
City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Office for Civil Rights

SUBJECT: AN ORDINANCE creating a new Office for Civil Rights by consolidating the Human Rights Department and the Office for Women's Rights; amending numerous Municipal Code Sections in Title 4 and chapters 3.14, 3.22, 3.110, 6.212, 14.04, 14.08, 20.46 and 20.46A of the Seattle Municipal Code; recodifying or repealing various sections in those chapters; and making grammatical and typographical corrections to amended sections.

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Kutepine
9/23/96

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Eric Friedli at 684-8369.

Sincerely,

Norman B. Rice
Mayor

by

Janeth M. Tierney

TOM TIERNEY
Director

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Enclosure

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STATE OF WASHINGTON - KING COUNTY

74983
City of Seattle, City Clerk

—SS.

No. ORDINANCE IN

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORD 118392

was published on
12/11/96

The amount of the fee charged for the foregoing publication is the sum of \$, which amount has been paid in full.

Subscribed and sworn to before me on
12/11/96

Notary Public for the State of Washington,
residing in Seattle

Affidavit of Publication

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